

**CAUSE NO. PD-0478-19**

**EX PARTE**

**IN THE COURT OF**

**CRIMINAL APPEALS FOR**  
COURT OF CRIMINAL APPEALS  
9/20/2019  
DEANA WILKINSON  
CLERK

**LEONARDO NUNCIO**

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**MOTION TO EXTEND TIME TO FILE BRIEF**

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**TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL APPEALS:**

LEONARD NUNCIO, appellant, files this Motion to Extend Time to File Brief, and would show the Court:

On September 11, 2019, Mr. Oscar O. Peña, counsel for Appellant, brought in Mark Bennett and Lane A. Haygood to assist in drafting the appellant's brief in Cause No. PD-0478-19, which is due on September 20, 2019.

Mr. Bennett and Mr. Haygood, the undersigned counsel, require additional time to complete the brief. On September 18, 2019, the undersigned counsel spoke with Mr. John R Messinger, assistant State Prosecuting Attorney, by telephone, and Mr. Messinger indicated he does not oppose the grant of an extension of time. No previous motion to extend time has been filed.

Therefore, based on the foregoing, Appellant requests a thirty (30) day extension of time in which to file the appellant's brief in this matter.

Respectfully submitted,

Oscar O. Peña  
1720 Matamoros St.  
Laredo, Texas 78040  
Telephone: 956.722.5167  
Facsimile: 956.722.5186  
[oscar@oscarpenalaw.com](mailto:oscar@oscarpenalaw.com)  
Texas Bar Number 90001479

Bennett & Bennett, Lawyers  
By:



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Mark Bennett  
917 Franklin Street, Fourth Floor  
Houston, Texas 77002  
Telephone: (713) 224-1747  
[mb@ivi3.com](mailto:mb@ivi3.com)  
Texas Bar Number 00792970



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Lane A. Haygood  
522 N. Grant Ave.  
Odessa, Texas 79761  
Telephone: 432.337.8514  
[lane@haygoodlawfirm.com](mailto:lane@haygoodlawfirm.com)  
Texas Bar Number 24066670

Counsel for Appellant / Defendant  
Leonardo Nuncio

## **CERTIFICATE OF SERVICE**

I certify that on September 20, 2019, a true and correct copy of this instrument was electronically served on all parties and counsel of record via the Texas e-filing portal.



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Lane A. Haygood  
Attorney for Appellant